



GOVERNMENT OF INDIA  
MINISTRY OF COMMERCE & INDUSTRY  
DEPARTMENT OF COMMERCE  
OFFICE OF THE DEVELOPMENT COMMISSIONER  
NOIDA SPECIAL ECONOMIC ZONE  
NOIDA DADRI ROAD, PHASE-II, NOIDA - 201305  
DISTT. GAUTAM BUDH NAGAR (UTTAR PRADESH)

फा० सं० 10/274/2009-एस०ई०जेड०/

दिनांक: 12/10/2018

सेवा मे ,

1. निदेशक (एस०ई०जेड०), वाणिज्य विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार, उद्योग भवन, नई दिल्ली - 110001।
2. अतिरिक्त महानिदेशक विदेश व्यापार, वाणिज्य एवं उद्योग मंत्रालय, 'ए' विंग, इंद्रप्रस्थ भवन, आई पी एस्टेट, नई दिल्ली - 110002
3. मुख्य आयुक्त, सीमा शुल्क (निवारक), न्यू कस्टम हाउस, नियर आईजीआई एअरपोर्ट, नई दिल्ली - 110037।
4. मुख्य आयुक्त, केन्द्रीय कर एवं उत्पाद शुल्क, एस सी ओ नं 407 & 408, सेक्टर- 8, पंचकुला (हरियाणा)।
5. आयुक्त, आयकर, एचएसआईआईडीसी बिल्डिंग, 4<sup>th</sup> फ्लोर, उद्योग विहार, फेज-5, गुडगांव (हरियाणा)।
6. आयुक्त, आयकर, सेन्ट्रल सर्कल- II, सी जी ओ कॉम्प्लेक्स, एनएच 4, फरीदाबाद, (हरियाणा)।
7. उपसचिव (आई एफ - 1), बैंकिंग प्रभाग, आर्थिक मामलों का विभाग, वित्त मंत्रालय, भारत सरकार, तृतीय तल, जीवन दीप बिल्डिंग संसद मार्ग, नई दिल्ली।
8. निदेशक, उद्योग एवं वाणिज्य विभाग, हरियाणा सरकार, 30 बेज भवन, सेक्टर 17, चंडीगढ़।
9. प्रबंध निदेशक, हरियाणा राज्य औद्योगिक विकास निगम, हरियाणा सरकार, प्लॉट नं सी -13 व 14, सेक्टर 6 पंचकुला , (हरियाणा)।
10. सीनियर टाउन प्लानर, टाउन एंड कंट्री प्लानिंग (एच क्यू), एस सी ओ :71-75, सेक्टर 17C, चंडीगढ़।
11. संयुक्त निदेशक, जिला उद्योग केंद्र, प्लॉट नं 2, आई डी सी, गुडगांव (हरियाणा)।
12. संयुक्त निदेशक, जिला उद्योग केंद्र, नीलम चौक, फरीदाबाद (हरियाणा)।
13. संबंधित विशेष आर्थिक क्षेत्र विकासकर्ता / सह-विकासकर्ता।

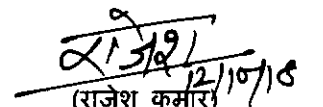
विषय: दिनांक 05/10/2018 को अपराह्न 12:30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त - एतद संबंधी।

महोदय,

उपरोक्त विषय के सन्दर्भ में डा० एल बी सिंघल, विकास आयुक्त, नोएडा विशेष आर्थिक क्षेत्र की अध्यक्षता में दिनांक 05/10/2018 को अपराह्न 12.30 बजे सम्मेलन हॉल, प्रशासनिक भवन, नोएडा विशेष आर्थिक क्षेत्र, नोएडा में आयोजित हरियाणा राज्य में स्थित निजी विशेष आर्थिक क्षेत्रों की अनुमोदन समिति बैठक का कार्यवृत्त संलग्न है।

संलग्नक : उपरोक्त

भवदीय,

  
(राजेश कुमार)  
उप विकास आयुक्त

NOIDA SPECIAL ECONOMIC ZONE

**Minutes of meeting of the Approval Committee of private SEZs located in the State of Haryana held under the Chairmanship of Dr. L.B. Singhal, Development Commissioner, NSEZ at 12.30 PM on 05.10.2018 in the Conference Hall of NSEZ, Noida.**

The following members of Approval Committee were present during the meeting:-

1. Shri S.S. Shukla, Jt. Development Commissioner, NSEZ
2. Shri Jitender Singh, Dy. Commissioner, Income Tax, Gurugram
3. Shri Mahesh Kumar, Asstt. Commissioner, Customs, Delhi
4. Md. Hadees Ali, Asstt. Commissioner, Customs, Delhi
5. Shri R.L. Meena, Asstt. DGFT, New Delhi
6. Shri Rahul Yadav, O/o. Joint Director, Deptt. of Industries, Faridabad
7. Shri Mahipal Singh, DTP(P), Gurugram
8. Representatives of SEZ Developers / Co-developers, Special Invitee.

➤ Besides, during the meeting i) Shri Rajesh Kumar, DDC, ii) Shri Satish C Gangar, Specified Officer, iii) Shri Harvinder Bawa, Specified Officer, iv) Shri Mohan Veer Ruhella, ADC & v) Shri Prakash Chand Upadhyay, OSD to DC were also present to assist the Approval Committee.

➤ At the outset, the Chairman welcomed the participants. After brief introduction, each items included in the agenda were taken up for deliberation one by one. After detailed deliberations amongst the members of the Approval Committee as well as interaction with the applicants / representatives of the developers / units, the following decisions were taken:-

**01. Ratification of Minutes of last meeting of the Approval Committee held on 07.09.2018:-**

The Approval Committee was informed that no reference against the decisions of the Approval Committee held on 07/09/2018 was received from any of the members of the Approval Committee or Trade and therefore, Minutes of the Meeting held on 07/09/2018 were ratified.

**02. Proposal of M/s. SE2 Digital Service LLP for setting up a unit in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Distt-Gurugram (Haryana).**

It was brought to the notice of the Approval Committee that M/s. SE2 Digital Service LLP has submitted a proposal for setting up a unit over an area of 56446 Sqft. on the 11<sup>th</sup> & 12<sup>th</sup> floor (28223 Sqft. each), Building No. 7 in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Gurugram (Haryana) to undertake service activities namely 'IT/IT Enabled Services namely Back Office Support, Call Centres, Data Processing, Insurance Claim processing,



Revenue Accounting, Support centres and financial services' with projected exports of Rs.18815 lakhs and the cumulative NFE of Rs. 18679 Lakhs over a period of five years. It was also informed that the applicant has proposed investment of Rs. 136 lakhs towards imported capital goods; Rs. 1094 lakhs towards Indigenous capital goods and other cost of project shall be met from inflow from head office. It was further informed that the SEZ developer has given provisional offer for allotment of proposed space to the applicant, wherein Building No.8 has been mentioned instead of Building No.7. It was further informed that Occupancy Certificate in respect of Building No. 7 is yet to be obtained by the SEZ Developer.

It was informed that following documents / information required to be submitted which has been communicated to the applicant:-

1. Discrepancies in Online Form-F:-

- (i) As per LLP Agreement dt. 30.08.2018, there are two Partners namely SE2 Holdings Inc and SE2 LLC, therefore details of Mr. Chirag Suresh Buch and Mr. Vinod K Kachroo required to be replaced in Para IV with actual partners.
- (ii) Specific services proposed to be undertaken i.e. 'Information Technology and Information Technology Enabled Services namely Back Office Support, Call Centres, Data Processing, Insurance Claim processing, Revenue Accounting, Support centres and financial services' are required to be mentioned in Para V of Form-F.
- (iii) Complete registered office address required to be mentioned in Para 1 of Form-F as per Certificate of Incorporation of the company.
- (iv) Name of Bank, address and Account No. not given in Para 1 of Form-F.
- (v) Reply in respect of Para XII (ii) & (iv) required to be given in 'Yes' or 'No'. Applicant has mentioned 'NA'.

2. As per LLP Agreement dt. 30.08.2018, Ms. Stuti Galiya and Mr. Nilanjan Ghose are first Designated Partners of LLP firm, whereas in project report / application applicant has mentioned that Mr. Chirag Suresh Buch and Mr. Vinod K Kachroo are present Designated Partners. Therefore, copy of documentary evidence filed with Registrar office viz Form No. 4 regarding resignation of Ms. Stuti Galiya and Mr. Nilanjan Ghose required to be submitted.

3. As per Project Report / Covering letter, the unit has been proposed to be setup at 11<sup>th</sup> & 12<sup>th</sup> floor, Building No.7, whereas SEZ developer has issued provisional offer of space for 11<sup>th</sup> & 12<sup>th</sup> floor, Building No.8. Though, map attached with provisional offer of space dated 14.09.2018 is for 11<sup>th</sup> & 12<sup>th</sup> floor, Building No.7.

4. Source of finance 'Inflow from Head Office' as mentioned in Form-F, may be elaborated.

5. Shareholding Ratio / Capital contribution details of partners of LLP firm duly certified by CA not submitted.

6. Income Tax details in prescribed format required to be submitted.

7. 'Kitchen equipment' required to be removed from the list of capital goods.



Mr. Chirag Suresh Buch, Designated Partner appeared before the Approval Committee on behalf of the applicant unit and explained the proposal. Mr. Jay Kumar, Head-SEZ Compliance & Mr. Amrik Singh, AGM-SEZ also appeared before the Approval Committee on behalf of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd., SEZ Developer. The representative of the developer informed to the Approval Committee that construction of Building No.7 is completed and they have submitted application for grant of Occupancy Certificate with O/o. DTCP, Chandigarh.

After due deliberations, Approval Committee approved the proposal, subject to submission of requisite documents by the applicant unit. Approval Committee further directed that the unit shall start operation from 11<sup>th</sup> & 12<sup>th</sup> floor, Building No.7 only after receipt of Occupancy Certificate in respect of Building No.07 by the Developer. The Approval Committee also directed that the unit & SEZ Developer will take care of requisite compliances of the State building bye-laws while carrying out fit-out/interior work in Building No.7.

**03. Proposal of M/s. SoftwareOne India Private Limited for setting up a unit in the Electronic Hardware & IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. at Village Behrampur, Distt- Gurugram (Haryana).**

It was brought to the notice of the Approval Committee that M/s. SoftwareOne India Pvt. Ltd. has submitted a proposal for setting up a unit over an area of 48836 Sqft. on 7th floor, Tower 1A in the Electronic Hardware & IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. located at Village Bahrampur, Distt- Gurugram (Haryana) to undertake service activities namely 'IT/ITES-BPO' with projected exports of Rs.33258 lakhs and the cumulative NFE of Rs. 32987 Lakhs over a period of five years. It was also informed that the applicant has proposed investment of Rs. 700 lakhs towards Indigenous capital goods and other cost of project shall be met from customer collection, retained earnings, & bank overdraft. It was further informed that the SEZ developer has given provisional offer for allotment to the applicant for 7th floor, Tower 1A, whereas developer has obtained Occupancy Certificate in respect of Block-1 & Block-2 of Phase-I of SEZ.

It was further informed that in Para XII (i) of online Form-F, applicant has mentioned that Capital Goods of Rs.150 lakhs will be transferred from its existing DTA unit to proposed SEZ Unit. Further, it was informed that applicant has submitted an Affidavit-Cum-Undertaking to the effect that the company will not claim any Income Tax benefit under Section 10AA of the Income Tax Act, 1961 in respect of its income from this proposed SEZ unit. It also proposes to transfer employees from its existing DTA operations.

Mr. Vishal Dua, Director-Finance & Mr. Nikhil Jain, Manager-Tax appeared before the Approval Committee on behalf of the applicant unit and explained the proposal. The representative of the applicant informed that they have discussed about Occupancy Certificate in respect of



proposed space with the developer and developer has clarified that Tower-1 as mentioned in provisional offer of space is actually Block-1 for which they have obtained Occupancy Certificate.

After due deliberations, Approval Committee approved the proposal subject to the condition that the applicant company shall not claim Income Tax benefit under Section 10AA of the Income Tax Act, 1961 in respect of its income from this proposed SEZ unit. The Approval Committee directed to obtain confirmation regarding name of building from the SEZ Developer. Approval Committee further directed the representative of the unit to submit a brief write-up on the background of the company & proposed transfer of business from DTA to SEZ.

**04. Proposal of M/s. Divami Design Labs Private Limited for setting up a unit in the Electronic Hardware & IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. at Village Behrampur, Distt- Gurugram (Haryana)**

It was brought to the notice of the Approval Committee that M/s. Divami Design Labs Private Limited vide its application dated 21.09.2018 has submitted a proposal for setting up a unit in the Electronic Hardware & IT/ITES SEZ of M/s. G.P. Realtors Pvt. Ltd. located at Village Bahrampur, Distt- Gurugram (Haryana). Further, it was informed that the applicant vide its email dated 03.10.2018 has informed that due to recent business development they intend to withdraw its SEZ unit application dated 21.09.2018 and requested to allow to withdraw the said application.

After due deliberations, Approval Committee decided to allow withdrawal of application dated 21.09.2018 by the applicant.

**05. Proposal of M/s. DLF Power & Services Ltd., Co-developer for approval of list of materials to carry on authorized operation in the IT/ITES SEZ of M/s. DLF Ltd. at Village Silokhera, Gurgaon (Haryana)**

It was brought to the notice of Approval Committee that M/s. DLF Power & Services Ltd., Co-developer had submitted proposal for approval of list of materials to carry on following authorized operation in the IT/ITES SEZ of M/s. DLF Ltd, Sector-30, Silokhera, Gurgaon (Haryana):-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated Cost (Rupees in lakhs)
(i)	Fire protection system with sprinklers, fire and smoke detectors.	07	3.03
(ii)	Engineering, Maintenance including Electrical and Mechanical Works, Heating, Ventilation & Air Conditioning (HVAC) System, Fire Detection and Alarm	As per authorized operations approved by BoA	5.14



	<i>Systems, Water Supply, Storm, Drainage and Sewage Disposal, Building upkeep Services including Maintenance of Lift Lobby, Conference Hall, Parking Area, Utilities area, Garbage &amp; scrap disposal, Horticulture, Pest Control, Façade Cleaning Services.</i>		
		Total:	8.17

Mr. Anil Nauriyal, G.M. & Mr. Pitambar Sharma, Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed materials.

After due deliberations, Approval Committee approved the proposed list of materials.

**06. Proposal of M/s. DLF Assets Private Limited., Co-developer for approval of list of materials to carry on authorized operations in IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector-24 & 25A, Gurgaon (Haryana).**

It was brought to the notice of Approval Committee that M/s. DLF Assets Pvt. Ltd., Co-developer had submitted proposal for approval of list of materials to carry on following authorized operation in the IT/ITES SEZ of M/s. DLF Cyber City Developers Ltd. at Sector-24 & 25A, DLF Phase-III, Gurgaon (Haryana):-

S. No.	Name of Authorized Operations	Sl. No at default list of authorized operations as per Inst. No.50 and 54	Estimated Cost (Rs. in lakhs)
(i)	Construction of all types of building in processing area as approved by the ÚAC.	22	4.92
(ii)	Access Control and Monitoring System	24	3.54
		<b>Total</b>	<b>8.46</b>

Mr. Anil Nauriyal, G.M. & Mr. Pitambar Sharma, Manager appeared before the Approval Committee on behalf of the co-developer and explained the requirement of proposed materials.

After due deliberations, Approval Committee approved the list of materials.

**07. Proposal of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd., developer for approval of list of material to carry on authorized operations in IT/ITES SEZ at Village Tikri, Sector-48, Gurgaon (Haryana)**

It was brought to the notice of the Approval Committee that M/s. Candor Gurgaon One Realty Projects Pvt. Ltd., Developer of IT/ITES SEZ at Village- Tikri, Sector-48, Gurgaon (Haryana) had



submitted proposal for approval of list of materials to carry on following default authorized operations in SEZ:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated Cost (Rupees in lakhs)
(i)	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	308.45
(ii)	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	368.00
(iii)	Air Conditioning of processing area.	21	86.65
(iv)	Fire protection system with sprinklers, fire and smoke detectors.	07	222.04
(v)	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.	02	83.24
(vi)	Solid and liquid waste collection, treatment and disposal plants including pipelines & other necessary infrastructure for sewage and garbage disposal, sewage treatment plants.	3	88.10
(vii)	Access Control and Monitoring System.	24	107.60
(viii)	Road with Street lighting, Signals and Signage.	01	40.10
(ix)	Security offices, police posts, etc. at entry, exit and other points within and along the periphery of the site.	11	26.85
(x)	Telecom and other communication facilities including internet connectivity.	05	16.80
(xi)	Landscaping and water bodies	08	29.45
		<b>Total:</b>	<b>1377.28</b>

Mr. Jay Kumar, Head-SEZ Compliance & Mr. Amrik Singh, AGM-SEZ appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed materials.

After due deliberations, the Approval Committee approved the list of materials except 5000 KG Garbage Bag (Sl. No. 47) & 200 Nos. Toilet Brush (Sl. No. 81) proposed under authorized operation namely "Construction of all types of building in processing area as approved by the Unit Approval Committee"(Annexure-1).



**08. Proposal of M/s. Candor Gurgaon Two Developers & Projects Pvt. Ltd., Co-developer for approval of list of materials to carry on authorized operations in IT/ITES SEZ of Gurgaon Infospace Ltd. at Village Dundahera, Sector-21, Gurgaon (Haryana)**

It was brought to the notice of the Approval Committee that M/s. Candor Gurgaon Two Developers & Projects Pvt. Ltd. , Co-Developer of IT/ITES SEZ at Dundahera, Sector-21, Gurgaon (Haryana) had submitted proposal for approval of list of materials to carry on following default authorized operations in SEZ:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated cost (Rupees in lakhs)
(i)	Construction of all types of building in processing area as approved by the Unit Approval Committee.	22	528.37
(ii)	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	417.63
(iii)	Air Conditioning of processing area.	21	222.64
(iv)	Fire protection system with sprinklers, fire and smoke detectors.	07	263.09
(v)	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains and water channels of appropriate capacity.	02	157.61
(vi)	Solid and liquid waste collection, treatment and disposal plants including pipelines & other necessary infrastructure for sewage and garbage disposal, sewage treatment plants.	3	108.30
(vii)	Access Control and Monitoring System.	24	39.13
(viii)	Roads with Street lighting, Signals and Signage.	01	10.50
(ix)	Security offices, police posts, etc. at entry, exit and other points within and along the periphery of the site.	11	25.50
(x)	Telecom and other communication facilities including internet connectivity.	05	8.00
		<b>Total:</b>	<b>1780.77</b>

Mr. Jay Kumar, Head-SEZ Compliance & Mr. Amrik Singh, AGM-SEZ appeared before the Approval Committee on behalf of the Co-developer and explained the requirement of proposed materials.

*Jayesh*



After due deliberations, Approval Committee approved the list of materials except '40000 Dhoti (Sl. No. 30)', '100 Nos. Aldrin (Sl. No. 156)' & '6000 Nos. Broom (Sl. No. 163)' proposed under authorized operation namely "Construction of all types of building in processing area as approved by the Unit Approval Committee"(Annexure-1) and '100 Nos. Umbrella (Sl. No. 11) proposed under "Security offices, police posts, etc. at entry, exit and other points within and along the periphery of the site' (Annexure-9).

**09. Proposal of M/s. Gurgaon Infospace Ltd. for allotment of space to M/s. SNZ Concepts Pvt. Ltd., to setup & operate a 'Restaurant' in the processing area of IT/ITES SEZ located at Village Dundahera, Sector-21, Gurgaon (Haryana).**

It was brought to the notice of the Approval Committee that M/s. Gurgaon Infospace Ltd., Developer vide its letter dated 21.09.2018 had submitted proposal for allotment of built-up space of 500 Sqft. (46.45 Sqmt) at Ground floor, Unit No.1A, Block 4A (Amenity Block-II) in the processing area of IT/ITES SEZ at Village Dundahera, Sector-21, Gurgaon (Haryana) on lease basis to M/s. SNZ Concepts Pvt. Ltd. to setup & operate a 'Restaurant' under the category of 'Food Services including cafeteria, food court(s), restaurant, Coffee shops, Canteen & catering facilities' approved by BoA.

It was informed that the developer has also submitted area-wise details of such activities approved by BOA, area-wise details of approvals given by the Approval Committee for allotment for such activities & balance area available for leasing, as given below:-

S. No.	Activities approved by BoA in processing area	Area approved by BoA	Total area approved by Approval Committee for allotment of space to facility providers	Area available for leasing
(i)	Food services including cafeteria, food court(s), restaurants, coffee shops, canteens and catering facilities.	3900 Sqmt.	3214.83 Sqmt.	685.17 Sqmt.
(ii)	Employee welfare facilities like Crèche, Medical Centre.	1750 Sqmt.	471.57 Sqmt.	139.01 Sqmt.
(iii)	Shopping arcade / retail space	300 Sqmt.	139.01 Sqmt.	160.99 Sqmt.

Mr. Jay Kumar, Head-SEZ Compliance, Mr. Amrik Singh, AGM-SEZ Compliance & Shri Rakesh Rath appeared before the Approval Committee on behalf of the developer and explained the proposal.

After due deliberations, Approval Committee approved the proposal subject to the condition that no tax / duty benefit shall be available to M/s. SNZ Concepts Pvt. Ltd. to setup, operate &



maintain such facility in the processing area of the SEZ and M/s. SNZ Concepts Pvt. Ltd. shall not serve Cigarette & Alcoholic beverages in such facility. This facility shall be used exclusively by the employees of SEZ & units located therein.

10. **Proposal of M/s. Genpact India Pvt. Ltd.(Unit-II), a unit in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Gurugram (Haryana) for change of entrepreneur from Genpact India Pvt. Ltd. to 'AIG Analytics & Services Private Limited' pursuant to the Business Transfer Agreement signed between both companies and monitoring of performance.**

It was brought to the notice of the Approval Committee that M/s. Genpact India Pvt. Ltd. (Unit-II), a unit in the IT/ITES SEZ of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd. at Village Tikri, Sector-48, Gurugram (Haryana) has submitted proposal for change in entrepreneur in respect of LOA No. 10/70/2013-SEZ/9703 dated 19.09.2013 from 'Genpact India Pvt. Ltd.' to 'AIG Analytics & Services Pvt. Ltd.' pursuant to the Business Transfer Agreement dated 22.09.2018 signed between both companies. It was informed that the unit in its proposal had mentioned that Genpact India Pvt. Ltd. and AIG Analytics & Services Pvt. Ltd. (AASPL) have entered into Business Transfer Agreement (BTA) wherein both the entities have agreed that Genpact India Pvt. Ltd. would transfer its aforesaid SEZ unit to AASPL on a going concern basis under a slump sale arrangement along with all the assets and liabilities related to the SEZ unit, on and from the closing date (i.e. 31.12.2018) mentioned in the BTA. Further, unit has mentioned that pursuant to transfer of the SEZ unit on a slump sale basis, operations from the SEZ Unit would be carried on by AASPL with effect from 1<sup>st</sup> January 2019. Further, AASPL, in the capacity of the incoming entrepreneur, undertakes to abide by the terms and conditions subject to which LOA was initially granted to Genpact India in terms of Rule 19 of the SEZ Rules, 2006. It was informed that applicant has requested to consider its request as per Instruction No. 89 dt. 17.05.2018 read with Rule 19(2) of SEZ Rules, 2006. It was informed that in support of its proposal the unit has submitted following documents :-

- (i) Copy of Board Resolution dated 21.09.2018 of M/s. Genpact India Pvt. Ltd. for transfer of two SEZ units (including this unit and a unit in Bangalore SEZ) to 'AIG Analytics & Services Pvt. Ltd.' as per terms & conditions set out in the Business Transfer Agreement and also resolution in favour of authorized signatories to sign documents on behalf of the company.
- (ii) Copy of Board Resolution dated 13.08.2018 of M/s. AIG Analytics & Services Pvt. Ltd. for acquisition of two SEZ units (including this unit and a unit in Bangalore SEZ) as per terms & conditions set out in the Business Transfer Agreement and also resolution in favour of authorized signatories to sign documents on behalf of the company.



- (iii) Copy of Business Transfer Agreement dated 22.09.2018 signed between M/s. Genpact India Pvt. Ltd. & M/s. AIG Analytics & Services Pvt. Ltd.
- (iv) Copy of Certificate of Incorporation dated 27.10.2009 & its name change certificate dated 25.03.2015 of M/s. AIG Analytics & Services Pvt. Ltd.
- (v) Copy of M&AOA of M/s. AIG Analytics & Services Pvt. Ltd.
- (vi) CA Certified details of shareholding pattern as on 19.09.2018 of M/s. AIG Analytics & Services Pvt. Ltd., as given below:-

Name of Shareholder	Nos. of shares	% of shares
AIG PC Global Services Inc.	42520947	99.99%
AIG MEA Investment and Services Inc.	1	0.01%
Total:	42520948	100.00%

- (vii) List of directors of M/s. AIG Analytics & Services Pvt. Ltd. as on 20.09.2018 along with copies of their ID/address proof. Following are present directors of the company:-
- Mr. Alaxander John Pandalavilakam – Copy of Aadhaar Card & PAN Card
  - Mr. Munish Sharma – Copy of Passport & PAN Card
  - Mr. Simon Charles Geoffrey Mennell – Copy of Passport & copy of Electricity / Water Bill as residence address proof.
  - Mr. Sean Francis Coyle- Copy of Passport & Driving License.
  - Mr. David Bennet Halperin - Copy of Passport & Driving License.
- Copies of Form DIR 12 for appointment of these directors have also submitted.
- (viii) A declaration by M/s. AIG Analytics & Services Pvt. Ltd. that Mr. Sean Francis Coyle, Mr. Simon Charles Geoffrey Mennel & Mr. Davit Bennet Halperin are non-residents, who did not hold PAN.
- (ix) An Undertaking on Rs.101/- non-judicial Stamp Paper from Mr. Munish Sharma, Director of M/s. AIG Analytics & Services Pvt. Ltd. to the effect that M/s. AIG Analytics & Services Pvt. Ltd, will take over the SEZ unit under LOA No. 10/70/2013-SEZ/9703 dated 19.09.2013 pursuant to BTA w.e.f. 01.01.2019 and that all the assets and liabilities as existing on the date of transfer in respect of the said SEZ unit occupied by Genpact India Pvt. Ltd. shall continue with AIG Analytics & Services Pvt. Ltd.
- (x) Copy of Audited Balance Sheet for the FY 2014-15, 2015-16 & 2016-17 (Un-audited) of M/s. AIG Analytics & Services Pvt. Ltd.
- (xi) Copy of PAN Card No. AADCC8508P & Import-Export Code No. 0715016580 of M/s. AIG Analytics & Services Pvt. Ltd.
- (xii) Copy of consent letter dated 27.08.2018 of M/s. Candor Gurgaon One Realty Projects Pvt. Ltd., developer for surrender of premises by M/s. Genpact India Pvt. Ltd. and further leasing of such premises to M/s. AIG Analytics & Services Pvt. Ltd.



It was further informed that following documents required to be submitted:-

- (i) Copy of complete audited balance sheet for FY 2016-17 of M/s. AIG Analytics & Services Pvt. Ltd. may be submitted.
- (ii) A declaration / undertaking from incoming entrepreneur in devised format.
- (iii) Copy of Registered lease deed in respect of 4<sup>th</sup> floor, Building No.3 10<sup>th</sup> floor, Building No.1.
- (iv) Incorrect LOA Number & date has been mentioned in the copy of Registered lease deed in respect of 10<sup>th</sup> floor, Building No.3 submitted by the unit.

Further, it was informed that performance of the unit since inception, as per APRs, are as under:-

(Rs. in lakhs)				
Year	FOB value of export	NFE Earning	DTA Sales	Pending forex realization
2014-15	2472.27	2392.38	0.00	0.00
2015-16	12490.71	12363.78	0.00	0.00
2016-17	24148.28	23977.19	0.00	0.00
2017-18	25948.21	25634.03	0.00	0.00
<b>Total :</b>	<b>65059.47</b>	<b>64367.38</b>	<b>0.00</b>	<b>0.00</b>

It was informed that that vide Instruction No. 89 dated 17.05.2018, DOC has issued guidelines regarding change in shareholding pattern, name change of SEZ Developers and SEZ Unit. As per Para 5(ii) of said guidelines *"Re-organisation including change of name, change of shareholding pattern, business transfer arrangements, court approved mergers and demergers, change of constitution of unit located in SEZs may be undertaken with the prior approval of Approval Committee in respect of units subject to the condition that the unit shall not opt out or exit out of the Special Economic Zone and continues to operate as a going concern. All liabilities of the unit will remain unchanged on such reorganization"*.

It was further informed that Further, as per Para 6 of said guidelines, such reorganization shall be subject to the following safeguards:-

- i) *Seamless continuity of the SEZ activities with unaltered responsibilities and obligations for the altered entity.*
- ii) *Fulfillment of all eligibility criteria applicable, including security clearances etc., by the altered entity and its constituents;*
- iii) *Applicability of and compliance with all Revenue / Company Affairs / SEBI etc. Act/Rules which regulate issues like capital gains, equity change, transfer, taxability etc.*
- iv) *Full financial details relating to change in equity / merger, demerger, amalgamation or transfer of ownership etc. shall be furnished immediately to Member (IT), CBDT, Department of Revenue and to the jurisdictional Authority.*



- v) The Assessing Officer shall have the right to assess the taxability of gain / loss arising out the transfer of equity or merger, demerger, amalgamation, transfer and ownerships etc. as may be applicable and eligibility for deduction under relevant sections of the Income Tax Act, 1961.
- vi) The applicant shall comply with relevant State Government laws, including those relating to lease of land, as applicable.
- vii) The unit shall furnish details of PAN and jurisdictional assessing officer of the unit to CBDT.

Further, it was informed that vide Instruction No. 90 dated 03.08.2018, DOC has further clarified that the phrase 'prior approval of Board of Approval (BoA) / Unit Approval Committee (UAC)' in para 5(i) & (ii) of the said guidelines in respect of Developer / SEZ unit means that approval of BoA/UAC, as the case may be, taken before the SEZ entity / unit is recognized by the new name or such arrangement in all the records. It may not be interpreted that prior approval of BoA/UAC is to be taken before approaching the Registrar of Companies or the National Company Law Tribunal as is being done in some cases came to the notice of the DOC.

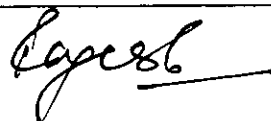
Mr. M.H. Qureshi, Director of M/s. Genpact India Pvt. Ltd. and Mr. Manish Gupta, Director & Mr. Puneet Gugreni, Asstt. Director – Tax of M/s. AIG Analytics & Services Pvt. Ltd. appeared before the Approval Committee and explained the proposal.

After due deliberations, Approval Committee approved the proposal in terms of Instruction No. 89 dated 17.05.2018 & subsequent clarification issued by DOC vide Instruction No. 90 dated 03.08.2018, subject to compliance of safeguards prescribed in Instruction No. 89 dated 17.05.2018. The Approval Committee also took note of the positive NFE earnings by the unit upto 31.03.2018.

**11. Proposal of M/s. ASF Insignia SEZ Pvt. Ltd., developer for approvals of list of materials to carry on authorized operation in its IT/ITES SEZ at Vill. Gwal Pahari, Tehsil Sohna, Distt. Gurgaon (Haryana).**

It was brought to the notice of Approval Committee that M/s. ASF Insignia SEZ Pvt. Ltd., Developer of IT/ITES SEZ at Village- Gwal Pahari, Distt- Gurgaon (Haryana) had submitted proposal for approval of list of materials to carry on following default / approved authorized operations in their SEZ:-

S. No.	Name of Authorized Operation	S. No. at default list of Auth. Opr. as per Inst. No. 50 & 54	Estimated Cost (Rupees in lakhs)
(i)	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary substations of appropriate capacity, pipeline network etc.	04	27.75
(ii)	Air Conditioning of Processing Area (as	Approved by BoA	4.00



	approved by BoA)		
(iii)	Construction of all types of building in processing area as approved by the ÚAC.	22	6.20
(iv)	Fire protection system with sprinklers, fire and smoke detectors.	07	5.52
(v)	Access Control and Monitoring System	24	9.30
(vi)	Power (Including power backup facilities) (in PZ)	Approved by BoA	80.98
(vii)	Solid and liquid waste collection, treatment and disposal plants including pipelines & other necessary infrastructure for sewage and garbage disposal, sewage treatment plants.	3	16.00
(viii)	Water treatment plant, water supply lines (dedicated lines up to source), sewage lines, storm water drains, and water channels of appropriate capacity.	02	7.50
(ix)	Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.	04	984.75
		<b>Total:</b>	<b>1142.00</b>

Mr. Ashok Singh, AGM appeared before the Approval Committee on behalf of the developer and explained the requirement of proposed items. As regards, items proposed under 'Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.' (Annexure-I), the representative of the developer informed that these items are required to establish a 66KVA Electrical Sub-station in the processing area of SEZ, for which they are in process to submit Building plan for approval.

After due deliberations, Approval Committee approved the proposed list of materials subject to the condition that the items proposed under authorised operation namely 'Electrical, Gas and Petroleum Natural Gas Distribution Network including necessary sub-stations of appropriate capacity, pipeline network etc.' (Annexure-I) shall be procured by the developer only after approval of building plan in respect of proposed Electrical Sub-station.

**12. Proposal of M/s. Defsys Solutions Pvt. Ltd. for inclusion of additional items of manufacture & enhancement in annual capacity and monitoring of performance of the unit located in the Electronic Hardware & Software including IT/ITES SEZ of M/s. GTV Tech SEZ Pvt. Ltd. at Village Ghamroj, Sohna Road, Gurgaon (Haryana)**

It was brought to the notice of the Approval Committee that proposal of M/s. Defsys Solutions Pvt. Ltd. for grant Industrial license for manufacturing of following items was forwarded to DOC for consideration by Board of Approval:-

- (i). Electronic Warfare System (Electronic Hardware).



- (ii). Electro Optic Sights, Payloads and PODs.
- (iii). Electro Optical Box Assemblies and Testing.
- (iv). Infrared Sensors.
- (v). Electro Mechanical Assemblies.

It was informed that Under Secretary (SEZ), DOC vide letter dated 16.11.2017 had informed that the application of M/s. Defsys Solutions Pvt. Ltd. was considered by Standing Committee on Private Sector Participation in Defence Production, Department of Defence Production and that the following items of manufacturing as mentioned below are non-licensable from defence angle:-

- (i) Electro Optic Sights.
- (ii) Electro Optical Box Assemblies and Testing and;
- (iii) Electro Mechanical Assemblies.

Accordingly, the Approval Committee in its meeting held on 05.01.2018 (conveyed vide this office letter dated 25.01.2018) had granted approval for inclusion of following items, which are non-licensable from defence angle as per DOC letter dated 16.11.2017 & revision in projections of the unit:-

Manufacturing, Assembly, & Testing of :

- (i) *Electro Optic Sights – 50 Nos. per annum.*
- (ii) *Electro Optic Box Assemblies and Testing – 50 No. per annum.*
- (iii) *Electro Mechanical Assemblies – 70 Nos. per annum.*

It was further informed that Board of Approval in its 83<sup>rd</sup> meeting held on 19.06.2018 had approved the proposal of M/s. Defsys Solutions Pvt. Ltd., a unit in the Electronic Hardware & Software including IT/ITES SEZ of M/s. GTV Tech SEZ Pvt. Ltd. (formerly Dr. Fresh Health Care Pvt. Ltd.) Gurgaon (Haryana) for grant of Industrial Licence for manufacturing and export of 'Electronic Warfare Systems (Electronic Hardware), Thermal sensors and infrared sensors, simulators' under IDR Act, 1951, subject to the conditions prescribed vide O.M. No.1(90)/2016/D(DIP) dated 01.02.2017 of Deptt. of Defence Production and O.M. No. II/20034/543/2016-IS-II dated 20.09.2017 of Ministry of Home Affairs. The approval of BOA had been conveyed vide DOC letter No. 13/9/IL/2015-EOU dated 19.07.2018 with a copy to M/s. Defsys Solutions Pvt. Ltd.. However, it was informed that approval in respect of 'Payloads and Pods' has not been received from DOC.

Further, it was informed that approval of BoA had been conveyed to the unit vide this office letter dated 07.08.2018 with the request to submit proposed annual capacity of "Electronic Warfare Systems (Electronic Hardware), Thermal sensors and infrared sensors, simulators" along with details of changes in Export / NFE projections & requirement of additional Capital Goods / Raw Materials, if any, in prescribed format.



It was informed that the unit vide its letter dated 17.08.2018 had submitted annual capacity of "Electronic Warfare Systems (Electronic Hardware), Thermal sensors and infrared sensors, simulators" as given below:-

S. No.	Item Description	NIC Code 2008	Proposed Annual Capacity
1.	Electronic Warfare Systems (Electronic Hardware)	26109	50 Nos.
2.	Electro Optic Sights, Payloads and Pods	26515	80 Nos.
3.	Electro Optic Box, Assemblies and Testing	26700	50 Nos.
4.	Infrared Sensors	26100	50 Nos.
5.	Electro Mechanical Assemblies	26109	100 Nos.

It was informed that the unit had informed that there is no change in Export / NFE projections and requirement of additional capital goods / raw materials with inclusion of these new items of manufacture by them. The existing & revised items of manufacture / annual capacity, are as under:-

Existing Authorised Operation	Revised Authorised Operation
<p>1). Manufacturing of:</p> <p>(i) Electronic Box Assembly -300 Nos. p/m.</p> <p>(ii) Electronic PCBA's- 5000 nos. p/m.</p> <p>(iii) Electronic Cables and Harness- 5000 nos. p/m.</p> <p>(iv) Electronic Cameras- 100 nos. p/m.</p> <p>(v) Electronic Automatic Test Equipment- 150 nos. p/m.</p> <p>(vi) Packing boxes and cases- 200 nos. p/m</p> <p>2). Render remote maintenance and repair services with respect to the products being manufactured by the unit.</p> <p>3). Render engineering and design services to its prospective customers (who are original equipment manufacturers /OEMs of defence equipment)</p> <p>4). Manufacturing, Assembly &amp; Testing of:</p> <p>(i) Electro Optic Sights – 50 Nos. per annum.</p> <p>(ii) Electro Optic Box Assemblies and Testing – 50 No. per annum.</p> <p>(iii) Electro Mechanical Assemblies – 70 Nos. per annum.</p>	<p>1). Manufacturing of:</p> <p>(i) Electronic Box Assembly -300 Nos. p/m.</p> <p>(ii) Electronic PCBA's- 5000 nos. p/m.</p> <p>(iii) Electronic Cables and Harness- 5000 nos. p/m.</p> <p>(iv) Electronic Cameras- 100 nos. p/m.</p> <p>(v) Electronic Automatic Test Equipment- 150 nos. p/m.</p> <p>(vi) Packing boxes and cases- 200 nos. p/m</p> <p>2). Render remote maintenance and repair services with respect to the products being manufactured by the unit.</p> <p>3). Render engineering and design services to its prospective customers (who are original equipment manufacturers /OEMs of defence equipment)</p> <p>4). Manufacturing, Assembly &amp; Testing of:</p> <p>(i) <b>Electro Optic Sights – 80 Nos. per annum.</b></p> <p>(ii) Electro Optic Box Assemblies and Testing – 50 No. per annum.</p> <p>(iii) <b>Electro Mechanical Assemblies – 100 Nos. per annum.</b></p> <p>5) <b>Electronic Warfare Systems (Electronic Hardware) – 50 Nos.</b></p> <p>6) <b>Thermal Sensors, Infrared Sensors, Simulators – 50 Nos.</b></p>

*Signature*